



**Town of Arlington, Massachusetts**  
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## Minutes 10/15/2012

**TOWN OF ARLINGTON**  
**BOARD OF SELECTMEN**

**Meeting Minutes**

**Monday, October 15, 2012**

7:15 p.m.

Present: Mr. Dunn, Vice Chair, Mr. Byrne and Mr. Curro  
 Also Present: Mr. Chapdelaine, Ms. Rice and Mrs. Krepelka  
 Absent: Mr. Greeley, Chair and Mrs. Mahon

### FOR APPROVAL

1. CONSENT AGENDA (one vote required for approval of all items)
  - a. Minutes of Meetings: September 24, 2012
  - b. Request: One Day Increase of Hours from 11:00p.m. to Midnight, 10/17/12, Tango Restaurant  
 Attorney David A. Leone

Mr. Curro moved approval. SO VOTED (3-0)
2. Vote: Approve and Accept Results of the Sale of General Obligation Bonds and Notes  
 Announcement of Credit Rating and Interest Rates  
 Borrowing includes:
  - a. \$12,692,314 G.O. Bonds comprised of school construction, capital projects, Community Safety Building construction, sewer project
  - b. \$ 2,210,000 Advanced Refunding of August 2003 G.O. Bond Issue
  - c. \$ 2,426,329 G.O. Bond Anticipation Note (BAN) for school construction

Stephen Gilligan, Treasurer & Collector of Taxes  
 The Board voted the following:

Voted: that we hereby determine, in accordance with G.L. c. 70B, that the amount of the cost of the Thompson School project authorized by a vote of the Town passed on November 15, 2010 (Article 4) not being paid by the school facilities grant is \$10,558,604 and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c. 70B.

Further Voted: that we hereby determine, in accordance with G.L. c. 70B, that the amount of the cost of the Stratton School project authorized by a vote of the Town passed on May 16, 2011 (Article 5) not being paid by the school facilities grant is \$717,944 and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c. 70B.

Further Voted: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund all of the Town's \$7,392,000 General Obligation Municipal Purpose Loan of 2003 Bonds dated August 15, 2003 maturing on and after August 15, 2014 (collectively, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Further Voted: that the sale of the \$12,692,000 General Obligation Municipal Purpose Loan of 2012 Bonds, Series A, of the Town dated November 15, 2012 (the "Series A Bonds"), to J.P. Morgan Securities LLC at the price of \$13,756,668.03 is hereby approved and confirmed. The Bonds shall be payable on November 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

| Year | Amount    | Interest | Rate | Year      | Amount | Interest | Rate |
|------|-----------|----------|------|-----------|--------|----------|------|
| 2013 | \$972,000 | 3.00%    | 2023 | \$520,000 | 2.00%  |          |      |
| 2014 | 915,000   | 4.00     | 2024 | 520,000   | 2.00   |          |      |
| 2015 | 900,000   | 5.00     | 2025 | 515,000   | 2.125  |          |      |
| 2016 | 880,000   | 5.00     | 2026 | 510,000   | 2.25   |          |      |
| 2017 | 860,000   | 5.00     | 2027 | 510,000   | 2.375  |          |      |
| 2018 | 655,000   | 5.00     | 2028 | 475,000   | 2.375  |          |      |
| 2019 | 655,000   | 5.00     | 2029 | 465,000   | 2.50   |          |      |
| 2020 | 655,000   | 4.00     | 2030 | 465,000   | 2.50   |          |      |
| 2021 | 645,000   | 4.00     | 2031 | 465,000   | 2.625  |          |      |
| 2022 | 645,000   | 4.00     | 2032 | 465,000   | 2.75   |          |      |

Further Voted: that the sale of the \$2,205,000 General Obligation Refunding Bonds, Series B of the Town dated November 15, 2012 (the "Series B Bonds"), to PNC Capital Markets LLC at the price of \$2,383,272.50 is hereby approved and confirmed. The Bonds shall be payable on August 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

| Year | Amount   | Interest | Rate | Year | Amount    | Interest | Rate |
|------|----------|----------|------|------|-----------|----------|------|
| 2013 | \$ 5,000 | 2.00%    |      | 2019 | \$185,000 | 3.00%    |      |
| 2014 | 290,000  | 2.00     |      | 2020 | 180,000   | 3.00     |      |
| 2015 | 280,000  | 2.00     |      | 2021 | 170,000   | 3.00     |      |
| 2016 | 275,000  | 2.00     |      | 2022 | 160,000   | 3.00     |      |
| 2017 | 275,000  | 3.00     |      | 2023 | 140,000   | 3.00     |      |
| 2018 | 245,000  | 3.00     |      |      |           |          |      |

Further Voted: to approve the sale of a \$2,426,329 1.00 percent General Obligation Bond Anticipation Note of the Town dated November 15, 2012, and payable November 15, 2013 (the "Notes"), to TD Securities (USA) LLC at par plus a premium of \$17,421.04.

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated October 2, 2012, and a final Official Statement dated October 10, 2012 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated October 2, 2012, as amended, and a final Official Statement dated October 10, 2012, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Series A Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement. The Series B Bonds and the Notes shall not be subject to redemption prior to maturity.

Further Voted: to authorize the execution and delivery of a Refunding Escrow Agreement to be dated November 15, 2012, between the Town and U.S. Bank National Association, as Refunding Escrow Agent.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby

are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Mr. Curro moved approval.

SO VOTED (5-0)

3. a)National Grid Petition/Brand Street (private way)

Dennis Regan, Permit Representative  
(all abutters notified)

Mr. John Taraszka, 92 Brand Street, appeared before the Board and asked Mr. Regan to be sure that the "patch" is even with the existing roadway and when said repairs should be completed. Mr. Curro stated that from his experience from living on a private way that all abutters should work with National Grid and sign a memorandum of understanding.

Mr. Rodrigo, 91 Brand Street, asked Mr. Regan who the contractor was. Mr. Regan stated that Feeney Brothers would be doing the work.

Mr. Curro moved receipt of petition.

SO VOTED (3-0)

b)National Grid Petition/ Summer St. and Forest St.

Dennis Regan, Permit Representative  
(all abutters notified)

Mrs. Judith Paradis, 143 Forest St. asked if they were going to be working in front of her house. Mr. Regan stated they would not be doing any work in front her home.

The resident at 505 Summer Street asked if they were going to fix the hole between her house and Forest Street.

Mr. Dunn stated he would have the Town Manager look into it and asked her to talk with Mrs. Krepelka and Mr. Chapdelaine regarding her concerns.

Mr. Curro moved approval subject to all conditions as set forth.

SO VOTED (3-0)

4. Waveguide, Inc./186 Communications Petition/Broadway

Chuck O'Connor, Engineer  
Waveguide Inc.  
(all abutters notified)

Waveguide Inc. submitted a petition to install 146 LF +/- of 4" P Service Conduit as indicated on the provided Engineering Design Sketch (Project 3615). Waveguide Inc. has been contracted by 186 Communications to design, permit and build a conduit connection to facilitate the placement of a proposed fiber optic cable that will be linked with the Network New Hampshire Now (NNHN) and Mass Broadband Institute (MBI) fiber optic cable projects that are presently under construction in Massachusetts and New Hampshire. Part of the proposed fiber path goes through Arlington and Somerville. Waveguide Inc. would like to complete this work by October 31, 2012.

Mr. Dunn asked Mr. O'Connor, Engineer for Waveguide, Inc., to work with the Director of Public Works and Town Engineer prior to the start of construction.

Mr. Curro moved approval subject to all conditions as set forth.

SO VOTED (3-0)

## APPOINTMENTS

5. Appointment: Vision 2020 Standing Committee

Sally Brewster Moulton  
(term to expire 1/31/2015)  
Mr. Byrne moved approval.

SO VOTED (3-0)

## LICENSES &amp; PERMITS

## 6. Request: Outside Furniture Permit

Capitol Theatre, Richard Fraiman, 204 Mass. Ave

Mr. Fraiman appeared before the Board asking to have four tables with two chairs at each table outside the Creamery on Lake Street.

Maria Romano, Bates Road, and Maureen Stephens, whose family lives at the corner of Lake Street and Freeman Street, asked the Selectmen to consider the safety of pedestrians walking on the sidewalk at this location. They stated that many times pedestrians have been forced onto the street, putting them in danger. They do not feel the sidewalk is wide enough, especially with the bike rack there, to have pedestrians walking at that location. The Board approved the outdoor furniture permit for a trial period ending July 1, 2013. At that time Mr. Fraiman will have to reapply for said permit.

Mr. Curro moved approval.

SO VOTED (3-0)

## 7. CITIZENS OPEN FORUM

Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established. It should be noted that there is a three minute time limit to present a concern or request.

No matters were presented for consideration of the Board.

## TRAFFIC RULES &amp; ORDERS/OTHER BUSINESS

## 8. Request: Permission to Locate Visitor Information Tent Adjacent to Uncle Sam Statue

Angela Olszewski, Arlington Committee on Tourism and Economic Development

Ms. Olszewski asked the Board for permission to erect a tent by the Uncle Sam Statue on Saturdays from 9:00 a.m. to mid-afternoon, weather permitting. She also asked the Selectmen for permission to store their tent and other materials in the Robbins Carriage House.

The Selectmen granted permission to A-TED to erect a "pop-up" visitor information tent adjacent to the Uncle Sam Statue and to store their tent and other materials in the Robbins Carriage House. The Board did not approve their request for parking and Ms. Olszewski stated she would seek other options and locations.

Mr. Curro moved approval.

SO VOTED (3-0)

## 9. Report: Effects of No Left Turns @ Water St./Mass. Ave. and Spengler Way/Mass. Ave.

Edward Starr, Transportation Advisory Committee

In the summer of 2011, a trial of left turn restrictions was initiated at the Mass. Avenue, Water Street and Spengler Way intersection to improve pedestrian safety. The trial made left turns illegal from Water Street and Spengler Way onto Mass. Avenue. The TAC has found fewer left turns and accidents at those intersections and only minor traffic pattern changes during the first year the signs were in place. As a result of this analysis, the TAC recommends the following:

1. Maintain the No Left Turn restriction from Water Street to Mass. Avenue and from Spengler Way to Mass. Avenue.

2. Evaluate the crash data in two years. If there are continuing major pedestrian safety issues, consider more extensive means of control as outlined in the TAC report of January 24, 2011.

Mr. Curro moved receipt of report from TAC and approved the extension of recommendations for two years. TAC will revisit this in October of 2013.

SO VOTED (3-0)

10. Requests: a) Placement of Speed Table on Bates Road  
b) 'Two Hour Only Parking' signs on Bates Road

Maria Romano and Sheri Baron, Town Meeting Members Precinct 7, asked the Board to install a speed table and two-hour parking signs on Bates Road. Ms. Romano and Ms. Baron both stated that speeding is a problem on Bates Road. Ms. Romano stated people from out of town leave their cars on Bates Road to take the bus creating problems for Bates Road residents, delivery trucks and plowing during winter months.

Mr. Joseph Connor, Bates Road, stated that people park in front of his home from 9:30 a.m. to 7:00 p.m. every day and he is in favor of a two hour parking ban.

Mr. Michael Haverty, 38 Bates Road, feels Bates Road is being used as a major intersection and we shouldn't rely on "old data". He is also in favor of a two-hour ban.

Mr. Dunn stated he feels we should have new data and reminded the residents at said meeting that if a two-hour parking ban was in effect that it would include every homeowner.

Mr. Curro and Mr. Byrne feel that a meeting should be held with all the neighbors informing them of the two-hour parking ban.

Mr. Curro moved approval.

SO VOTED (3-0)

The Board referred the placement of a speed table to the Transportation Advisory Committee and the Parking Sub Committee will study the two-hour parking request.

Mr. Curro moved approval.

SO VOTED (3-0)

11. For Approval: a) 'Avery Square'  
b) Michael Dennis Camerlengo Memorial  
Alexander J. Salipante, Chair, Public Memorials Committee

Mr. Byrne moved approval.

SO VOTED (3-0)

#### Correspondence Received

Karen Yi Request 'Slow: Children at Play' Signs Be Rec'd  
218 Highland Avenue

Daniel J. Hayward Outstanding Performance of Mark Linsky, Be Rec'd  
Margaret Hayward Town Employee  
441 Summer Street

The Board thanked Mr. and Mrs. Hayward for sending their letter of appreciation regarding the Arlington Police Department for their quick response and actions of Mark Linsky, a Public Works employee.

Mr. Curro moved receipt of correspondence received.

SO VOTED (3-0)

#### New Business

Mr. Chapdelaine reminded everyone that the Master Plan Meeting conducted by the Planning Dept. and Redevelopment Board will be held on Wednesday, October 17th, at 7:00 p.m., Town Hall Auditorium.

Mr. Byrne stated that he attended the Arlington Firefighters Retirement Party held on Saturday night, October 13th, at the Sons of Italy Hall and had a wonderful time. He stated it was well attended and turned out to be a great night.

Mr. Curro stated he attended the Firefighters Retirement Party and also had a wonderful time.

Mr. Curro also wanted to remind everyone that Friday night, October 19th, at Town Hall is the major fund raiser for the Arlington Youth Council.

Mr. Curro stated that he had attended the Youth Health & Safety Coalition meeting held at the Police Dept. in September regarding the new alcohol compliance checks. He feels the meeting was well run and very informative, and encouraged all Board members to attend the next meeting.

Mr. Dunn also attended the Firefighters Retirement Party and had a wonderful time; he thought it was great to see all the older retirees attending this Annual Party.

Mr. Dunn stated that we just received today a letter from the Arlington Lions Club requesting permission to park the Lions Eye Mobile in front of the Town Hall on Saturday, October 27, 2012, for the purpose to conduct a free health screening between 9:00 a.m. and 4:00 p.m.

Mr. Curro moved approval.

SO VOTED (3-0)

Mr. Curro moved to adjourn at 8:45 p.m.

SO VOTED (3-0)

A true record: Attest:

Marie A. Krepelka  
Board Administrator

Next scheduled meeting of BoS October 29, 2012.

10/15/12

Agenda Item Documents Used

- 1 (a) 10/15/12 Draft Minutes
  - (b) One Day Increase of Hours - 1017-12 - Tango Restaurant
- 2 (a) Memo - Stephen Gilligan-Vote of Board - Approve and Accept Results Of TheSale of General Obligation Bonds and Notes
  - (b) Announcement of Credit Rating and Interest Rates
- 3 (a) National Grid Petition/Brand Street (private way)
  - (b) National Grid Petition/Summer St. and Forest Street
- 4 Waveguide, Inc/186 Communications Petition/Summer St. and Forest St.
- 5 Appointment: Vision 2020 Standing Committee
- 6 Request: Outside Furniture Permit - Capitol Theatre, 204 Mass. Ave., Richard Fraiman
- 7 Request: Permission to Locate Visitor Information Tent Adjacent to Uncle Sam Statue
  - Angela Olszewski, Arlington Committee on Tourism and Economic Development
- 8 Report: Effects of No Left Turns @ Water St./Mass. Ave. and Spengler Way/Mass. Ave., Edward Starr, Transportation Advisory Committee
- 9 (a) Reports: Placement of Speed Table on Bates Road
  - (b) Two Hour Only Parking signs on Bates Road
- 10 (a) Approval: Avery Square - Intersection Harlow St/Massachusetts Avenue
  - (b) Michael Dennis Camerlengo Memorial

C.R. Thank you - Daniel and Margaret Hayward. 441 Summer Street